

CHAPTER 7.12CONTRACT FOR SERVICES7.12.010 Purpose.

A. This Chapter is intended to establish procedures for the selection of persons and firms to provide services for identified projects. This Chapter does not apply to construction services for public works projects which the State law requires to be bid. (Ord. 89-45)

B. Unless otherwise provided, the City's selection of architects, engineers, land surveyors and construction project management firms and other persons to provide professional services by contract with the City shall be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the professional services required. (GC§ 4525, et seq.)

C. "Contract Officer" is the City official who is authorized to choose the method for selecting the Provider, designate the selected Provider, and enter into a contract with the selected Provider on behalf of the City.

Unless the services are being sought by bid, the Contract Officer:

1. May discuss with one or more Providers the alternative methods for providing the required services;
  2. May conduct further negotiations with one or more of the most qualified Providers to fully clarify their proposal to provide services; and
  3. Shall select the Provider that will provide the services to the best advantage of the City.
- D. "Provider" is a person or firm who provides the type of services sought by the City.
- E. "Selected Provider" is the person or firm selected by the City to provide the services.

7.12.020 Methods of Selection. The following are the alternative methods for selecting a Provider:

A. Personal Request for Proposals. The Contract Officer directly contacts one or more potential Providers to obtain proposals; selects the Provider who proposes to provide services to the best advantage of the City; and enters into a contract on behalf of the City.

B. Limited Request for Proposals. The Contract Officer requests several Providers to submit proposals; selects the Provider who proposes to provide services to the best advantage of the City; and enters into a contract on behalf of the City.

C. General Request for Proposals. The Contract Officer posts, publishes and mails a Notice of Request for Proposals; selects the Provider who proposes to provide services to the best advantage of the City; and enters into a contract on behalf of the City.

D. Solicitation of Bids. The Contract Officer posts, publishes and mails a Notice of Solicitation of Bids; selects the responsible Provider who submits a responsive bid setting forth the lowest price; and enters into a contract on behalf of the City. This method will be used where the services needed are of technical nature that involve little professional judgment and therefore selecting the lowest responsible, responsive bid would be in the public's interest.

7.12.030 Services for Short-term/Cost Less than \$50,000.

A. Services for City Council Project. Where the City Council determines to acquire services for a City Council-initiated project, the City Manager shall serve as the Contract Officer under the direction of the City Council; except the City Council shall select the provider.

B. Services for Third Party Project. Where a third party is proposing a project which requires the City to obtain services to process or administer that project and the costs incurred by the City are to be reimbursed by the third part, the City Manager or City Manager's designee shall serve as the Contract Officer.

C. Services for Other Projects. Unless otherwise provided, where the City Council has budgeted funds which are available for obtaining services for other projects, the City manager or the City Manager's designee shall serve as the Contract Officer.

7.12.040 Services for a Long Term. Where the City is to enter into a contract to obtain services for a term longer than 18 months, the City Manager shall serve as the Contract Officer under the direction of the City Council; except the City Council shall select the Provider.

7.12.050 Services for \$50,000. When the City is to enter into a contract to obtain services for a cost of \$50,000 or more, the City Manager shall serve as the Contract Officer under the direction of the City Council; except the City Council shall select the Provider.